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February 9, 2001

Via Fax and U.S. Mail

Mr. Donald J. Hesler
Bureau of Central Remedial Action
Room 228
Division of Environmental Remediation
New York State Department of Environmental Conservation
50 Wolf Road
Albany, New York 12233-7010

Re: Onondaga Lake System RI/FS
Baseline Ecological Risk Assessment/Site Boundary

Dear Mr. Hesler:

The existence and/or definition of the Onondaga Lake System RI/FS boundary was raised during recent technical discussions between Honeywell, Onondaga County and the Department of Environmental Conservation with respect to the Baseline Ecological Risk Assessment for the Lake.

In that regard, the County would note that in stating the objective of the Baseline Ecological Risk Assessment the May 14, 1998 BERA report submitted by AlliedSignal improperly and/or incompletely defined the site's boundary by, for example, limiting one of the objectives of the BERA to the following: "characterize the nature and spacial extent of SOC's in the *water, sediments, and biota of Onondaga Lake* as part of the RI/FS." (See 3-6) (emphasis added).

The March, 1992 Consent Decree defines the Onondaga Lake System more broadly to "include . . . the waters, beds and associated biota of Onondaga Lake, such tributaries of Onondaga Lake or portions thereof as may have been contaminated by Allied's waste substances, including Geddes Brook and Nine Mile Creek, and the outlet of Onondaga Lake" (§ 17)(emphasis added).

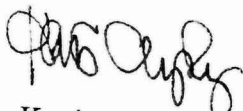
A factor to be considered in any definition of the site boundary is the language of Paragraphs 27, 28 and 29 of the complaint in the action styled *State of New York v. Allied-Signal, Inc.* which specifically identifies the Waste Beds as a site contaminated by Allied Waste and a source of contamination to the Lake.

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Given the above, the County would note the requirement that the Lake RI BERA report address areas beyond the confines of the Lake, its outlet, and solely the mouths of the Lake's tributaries.

Very truly yours,

DEVORSETZ STINZIANO GILBERTI HEINTZ & SMITH, P.C.



Kevin C. Murphy

KCM/dmm

cc: Richard A. Mustico, P.E., NYS Department of Environmental Conservation
Timothy J. Larson, P.E., New York State Department of Environmental Conservation
Mr. David Coburn, Onondaga County Office of the Environment
Mr. Joseph J. Mastriano, Onondaga County Department of Drainage & Sanitation
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Mr. Ronald Heerkens, New York State Department of Health
Mr. Richard L. Caspe, US EPA
✓ Mr. Robert Nunes, US EPA